I negate the resolution that in the United States the private ownership of handguns ought to be banned.

First, Questioning reasons purports their significance; since you ask for a reason in the first place and thus assume that a person should be rational thus they are rationally inescapable

Second, Everyone has the capacity for practical reason, so moral rules must constrain both how I may act and how others may act towards me. Thus, in acting according to practical reason, I must universalize the maxim on which I act to all other instances where other agents act under the same relevant conditions.

Third, One can never restrict the ends a subject can set as their means, because to be human is to autonomously set the ends. To treat humanity as an end requires one to respect the legislative right of agents to use their means as they see fit free of domination. I do not wrong you by buying the last jar of peanut butter before you get to the store, leaving you to decide between the inferior jelly or marmalade. I violate if I legislate that you have no right to attempt to purchase peanut butter as that subverts the ends to which you can direct your will.

Thus, the **standard** is respecting liberty.

Next is impact calc:

**First**, Freedom isn’t something we maximize because everything is infinitely divisible, thus, there exists an infinite quantity of free action so the idea of quantifying freedom is non-sensical

**Second**, There is an act/omission distinction a) If there was no distinction between actions and omissions we would constantly be trying to resolve every problem in the world. b) If one sees an empirical circumstance, which they didn’t will into existence, they should not be held responsible because they didn’t will that maxim

Contention:

I contend that a ban on the private ownership of handguns restricts liberty.

First, the private ownership of handguns restricts the freedom of individuals because it constitutes government interference, which respects the liberty of others. The action of a ban is intrinsically meant to restrict individuals and thus should be rejected.

Second, A handgun ban requires enabling ourselves to the state and submitting to the state is bad because it means that there is a restriction of freedom for individuals.

Third, A handgun ban is inherently dangerous because it effects individuals differently, it only harms those who would own a handgun in the first place which is problematic because that is restricting the freedom of a specific group of people

Frontlines:

Hindering a hindrance of freedom requires an external account of freedom that someone is legitimately entitled to, which means we can’t just define it as outer freedom. Valentini[[1]](#footnote-1)

As **Ripstein puts it, a system where all have freedom as independence ‘is one in which each person is free to use his or her powers, individually or cooperatively, to set his or her own purposes, and no one is allowed to compel others to use their powers in a way designed to advance or accommodate any other person’s purposes’**. But how are we to determine what one’s powers and purposes are? **Certainly not by looking at their actual powers and purposes.** To be sure, **when policemen stop a thief**, they prevent him from using his (positive, as opposed to normative) powers for his (positive) purposes, yet thief’s right to freedom. **This is** paradigmatically **a legitimate intervention, aimed at ‘hindering a hindrance to freedom’** (i.e., the freedom of the victim, whose means would serve someone else’s, the thief’s, purposes).

**The freedom** referred to in the expression ‘hindering a hindrance to freedom’ cannot be any freedom, but **must be the freedom one is entitled to on grounds of justice. Until we have an independent account of justice, then, we cannot know whether someone is free or unfree. Unless we know what is ours, we cannot know whether constraints** on our de facto agency **are violations of our independence** or consistent with it.

**Second**, there exists an intent foresight distinction a) intentions unify action so they are the only thing that are morally relevant, without this distinction we could not delineate a reason for action. b) If there were no distinction between intended and foreseen harms then you would be responsible for every state of affairs. This puts ends based theories in a double bind a) there is a distinction meaning util fails to create certain net preferable ends due to a side constraint or b) there is no distinction forcing agents to be responsible for every action making it impossible to maximize. c) There only exists a small probability that you foresee a harm, thus, the only thing you have direct knowledge of is what you intend.

1. Laura Valentini, “Kant, Ripstein and the Circle of Freedom: a Critical Note,” European Journal of Philosophy [↑](#footnote-ref-1)